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To:	Mr. Joseph Torres	**From:**	Robert Downs
Fax:	571-273-3829	**Date:**	February 18, 2005
Phone:	571-272-3829	**Pages:**	4 (including cover sheet)
Your Ref.:		**Our Ref.:**	1248-0559P
Re:	Interview for Appl. No. 09/974,799	**CC:**	

☐ **Urgent**   ☐ **For Review**   ☐ **Please Comment**   ☐ **Please Reply**   ☐ **Please Recycle**

Comments: This is to inform you that Mr. Hirata from Sharp Corp. will be joining me for the Interview on Tuesday, February 22, 2005 (2pm). I will begin the Interview by presenting a short summary of the invention. Thank you for conducting this interview with the applicant.

Applicant Initiated Interview Request Form

Application No.: _09/774, 799_   First Named Applicant: _Tamura_
Examiner: _Torres_   Art Unit: _2177_   Status of Application: _Non - Final_

Tentative Participants:
(1) _Robert Deans_   (2) _Joseph Torres_

(3) _Albert Decady_   (4) _Shinya Hirata_

Proposed Date of Interview: _Feb. 22, 2005_   Proposed Time: _2:00_   (AM/PM)

Type of Interview Requested:
(1) [ ] Telephonic   (2) [✓] Personal   (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES   [✓] NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	(Claims) Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _103(a)_	_30_	_Rathomy Wicker_	[ ]	[ ]	[ ]
(2) _103(a)_	_31_	_Rathony Wicker_	[ ]	[ ]	[ ]
(3) _103(a)_	_32, 33_	_Rathony Wicker_	[ ]	[ ]	[ ]
(4) _____	_____	_____	[ ]	[ ]	[ ]

[✓] Continuation Sheet Attached

Brief Description of Arguments to be Presented:

See Attached

An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Robert Deans
Applicant/Applicant's Representative Signature   Examiner/SPE Signature

Robert Deans
Typed/Printed Name of Applicant or Representative

_48, 222_
Registration Number, if applicable

Application Serial No. 09/974,799

Agenda for Interview

Present a summary of the present invention.

Discuss rejection of Claim 30, in particular, which applies as well to other independent claims. Discuss rejection of dependent claims 31, 32, and 33.

Discussion Point 1 (Claim 30)

<u>Background</u>: The Rathony reference discloses three embodiments. The first two embodiments are directed to an ARQ scheme (see column 4, lines 25-35) and the third embodiment uses a Type II hybrid ARQ scheme (see column 6, lines 38-40, 58-63). The third embodiment is specifically disclosed as using a transmission block that only contains one packet in order to increase the probability of successful decoding (column 14, lines 22-30). Wicker is relied on for showing that a Type II hybrid ARQ scheme could include error correction. The first embodiment in Rathony is relied on for teaching the claimed step of "adding a block, a retransmission of which has been requested, to a block in a data packet to be transmitted ..."

<u>Issue</u>: Applicant believes that Rathony does not actually teach the combination of "performing error correction decoding" and "adding a block, a retransmission of which has been requested," as recited in the claims. Applicant would like to discuss this issue.

Discussion Point 2 (Claim 31)

<u>Background</u>:

The Office Action relies on Figure 3C for teaching features of claims 31, 32, and 33. Claim 31 recites, "the data packet <u>contains a retransmission-block field</u> where the block, a retransmission of which has been requested, is added, the <u>field being not used</u> in an ordinary state where

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there is no retransmission request." In other words, in the present invention the data packet contains a retransmission-block field. In an ordinary state the retransmission-block field is transmitted as an empty block.

Issue:

Applicant does not believe that Rathony teaches transmission of an unused block.

Discussion Point 3 (Claims 32, 33)

Background:

Figure 3C is relied on for showing the features of claims 32 and 33. The first embodiment in Rathony is described in column 7, line 37, to column 11, line 12. Figure 3C is described in column 9, line 14, to column 10, line 3. Thus, Figure 3C pertains to the first embodiment.

In any case, the NAK signal only indicates the packet that was not received (e.g., NS=3 in Fig. 3D), or possibly indicates that the packet was received in error. Applicant believes that Rathony does not disclose that the NAK signal indicates the packet that was last outputted from the transmitting end. For example, in the case of NAK 3, NS-5 had been outputted from the transmitting end before NAK 3 was returned (see column 9, lines 33-39).

Issue:

Applicant does not believe that Rathony actually teaches features of claims 32 and 33.